

REMARKS

The specification is amended to provide cross-reference to the PCT/GB2003/0026523. The instant Application is a national phase filing of PCT/GB2003/0026523 under 35 U.S.C. § 371. PCT/GB2003/0026523 claims priority from GB 0214343.6. This amendment does not add new matter.

Claim 5 is corrected, as suggested by the Examiner, to recite the units as grams/m². This amendment to claim 5 corrects an obvious typographical error and, thus, does not add new matter.

At page 2 of the Office Action the Examiner addresses the claim for priority under 35 U.S.C. § 119 based on GB 0214343.6 filed in the United Kingdom on June 20, 2003 and states that the claim cannot be based on GB 0214343.6 because the instant Application was filed more than 12 months after June 20, 2003 (the applicants note that GB 0214343.6 was filed June 20, 2002). The instant Application is, as set forth in the Combined Oath, Declaration and Power of Attorney, a national phase filing of PCT/GB2003/0026523, filed June 20, 2003, which claims priority from GB 0214343.6. Thus, priority for the instant Application properly extends to the filing date of GB 0214343.6.

At page 2 of the Office Action, the Examiner objects to claim 5 because of alleged informalities relating to the units of the liquid composition. Claim 5 is corrected as requested by the Examiner.

At pages 2-3 of the Office Action, the Examiner rejects claims 1-10 under 35 U.S.C. § 102(b) as anticipated by GB 0214343.6. Reconsideration and withdrawal of this rejection is respectfully requested.

As discussed above, the subject application is a national phase filing of

PCT/GB2003/0026523, filed June 20, 2003, which claims priority from GB 0214343.6.

Accordingly, GB 0214343.6 is a priority document of the instant Application and, therefore cannot be considered as prior art to the present invention. Further, GB 0214343.6 did not publish and, hence, cannot be considered a "printed publication" under 35 U.S.C. § 102(b). Based on the foregoing, the Applicants respectfully request that the Examiner withdrawal the rejection of claims 1-10 under GB 0214343.6.

At pages 3-5 of the Office Action, the Examiner rejects claims 1, 2, 4 and 6-10 under 35 U.S.C. § 102(b) as anticipated by EP 0392316 A1 to Leacock *et al.* ("Leacock"). Reconsideration and withdrawal of this rejection is respectfully requested.

The Examiner asserts that Leacock discloses a wipe for one step polishing and protecting of a hard surface such as wood comprising a non-woven substrate impregnated with a liquid polish composition. The Examiner also asserts that the composition comprises from about 0 to about 1.4% of an amino functional silicone fluid and from about 0.1% to about 1% of a wax with a water components of about 70% to about 98% by weight. The Examiner also asserts that Leacock discloses a liquid wax polish composition comprising from about 0.1% to about 1% of a wax that may be selected from a wide variety of waxes, including paraffin wax. The Examiner states that Leacock discloses that the wipe comprises any suitable non-woven material having good wet strength and fluid absorbency and an amount of liquid composition loaded onto the wipe allegedly in the range of claim 5. The Examiner further notes that Leacock discloses that the polish composition may be loaded onto the substrate by procedures known in the art and that the invention of Leacock should be packaged in a condition that maintains the moist conditions such as individual packaging in envelopes or packing in bulk form in canisters provided with suitable openings. Finally, the Examiner states that Leacock gives reference to a patent said to

disclose an airtight container for an elongated web of perforated wet impregnated tissue-like material, the web being free-flowing, having a minimum of friction within the container and provides a removable cap adapted to form a tight fit with the container.

Leacock discloses wipes comprising from 0 to about 1.4% aminofunctional silicone fluid and also about 0.7% to about 7% organic polysiloxane having a viscosity of about 50 to about 100 centistokes and about 0.1% to about 3.5% organic polysiloxane having a viscosity of about 1,000 to about 25,000 centistokes. Thus, Leacock discloses wipes comprising between 0.8% and about 12.1% silicone containing compounds and the examples of Leacock contain 2.48% to 4.96% silicone containing compounds. In the present invention however, as recited in the claims, the moist wipe comprises an aqueous emulsion that comprises either no silicone or silicone compounds in amounts less than 0.5%. Thus, Leacock which discloses wipes having silicon containing compounds in excess of 0.5% cannot anticipate the present invention which requires that the aqueous emulsion have no silicone compounds or less than 0.5% of such compounds.

Furthermore, the present invention is not obvious over Leacock. This reference concerns wipes having at least 0.8% silicone containing compounds and up to 12.1% of such compounds. The examples of Leacock pertain to embodiments having 2.48% to 4.96% silicone containing compounds. The present invention is different in that the aqueous emulsion of the wipe contains no silicone compounds or less than 0.5% of such compounds. There is no disclosure in Leacock upon which one skilled in the art would adjust the silicone containing materials to lower amounts and indeed the organic polysiloxanes are said to provide ease of application due primarily to the presence of the low viscosity material and other properties. (*See*, Leacock at page 3, lines 51-56). Thus, Leacock does not provide a solution of providing a wipe with no silicone material or

less than 0.5% silicone material and indeed teaches away from such compounds considering the properties of Leacock's wipes attributable to the organic polysiloxanes. Thus, considering the differences between Leacock and the present invention and resolving the level of skill in the art of Leacock which requires silicone compounds, i.e. the organic polysiloxanes, the present invention which includes either no silicone compounds or less than 0.5% of such compounds is not obvious over Leacock.


Conclusion

The instant application is believed to be in condition for allowance. A Notice of Allowance of Claims 1-10 is respectfully requested. The Examiner is invited to telephone the undersigned at (908) 722-0700 if it is believed that further discussions, and/or additional amendment would help advance the prosecution of the instant application.

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge any required petition fee to the Deposit Account No. 14-1263.

Please charge any insufficiency of fees, or credit any excess, to the Deposit Account No. 14-1263.

Respectfully submitted,


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